

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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PROGRESSIVE CASUALTY INSURANCE  
COMPANY,

Plaintiff,

v.

JACKIE K. DELANEY; *et al.*,

Defendants.

2:11-CV-0678-LRH-PAL

ORDER

Before the court is defendant Kenneth Templeton's ("Templeton") motion to seal Exhibit A to his opposition to the motion to dismiss counterclaims (Doc. #156<sup>1</sup>). Doc. #157.

As an initial matter, the court is acutely cognizant of the presumption in favor of public access to papers filed in the district court. *See Hagestad v. Tragesser*, 49 F.3d 1430, 1434 (9th Cir. 1995). Therefore, a party seeking to file materials under seal bears the burden of overcoming that presumption by showing that the materials are covered by an operative protective order and are also deserving of confidentiality. *See Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2005). Specifically, a party must "articulate compelling reasons supported by specific factual findings that outweigh the general history of access and the public policies favoring disclosure." *Kamakana, City and County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006) (internal citations omitted).

<sup>1</sup> Refers to the court's docket number.

1 Here, the court finds that defendant Templeton has put forth a sufficiently compelling  
2 reason for sealing the requested exhibit. Specifically, Templeton contends that the exhibit is  
3 designated as “confidential” under the court’s protective order (Doc. #63). Therefore, the court  
4 finds that Templeton has met his burden and the court shall grant the motion accordingly.

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6 IT IS THEREFORE ORDERED that defendant’s motion to seal (Doc. #157) is GRANTED.

7 IT IS SO ORDERED.

8 DATED this 7th day of November, 2014.

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11 LARRY R. HICKS  
12 UNITED STATES DISTRICT JUDGE  
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